

9.
THE
PRESENT WARRE
PARALLELD. *to*

OR
A briefe Relation of the five yeares Ci-
vil Warres of HENRY the Third, King of
England, with the Event and Issue of that un-
naturall Warre, and by what course the King-
dome was then settled againe.

Extracted out of the most Authenticke
Historians and Records.

Vt prospicias futura, respicias praterita.

The most probable way to know what will be, is to observe
what hath beene.

Qui respicit qua fuerunt, & inspicit qua sunt, prospicit etiam qua futura sunt.

The Historian by running backe to Ages past, and then forward to present Af-
faires, comparing one with the other, can give a verdict of the State, well
neere Prophetick.



Printed in the yeare, 1647.

THE
PRESENT WAARE
PARALLELED
OF

[illegible]

Excluded one of the most important

The most probable cause of the fire was the use of a defective fuse.

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THE
PRESENT WARRE
PARALLELD.
OR,

A brieſe Relation of the 5. yeares Civil Warres of HENRY the third, King of England, with the event and iſſue of that unnaturall Warre, and by what courſe the Kingdome was then ſeiled againe.

HENRY the Third of that Name, (a man more pious then prudent; a better man then King) ſwayed the Scepter of this Kingdome 56. yeares. The former part of his Reigne was very calme, the latter as tempeſtuouſ.

The main tempeſt was thus raiſed. The King for many years, during that high calme, had ſequeſtered himſelfe wholly to his harmleſſe ſports and recreations, and intruſted the whole managery of the State to his officers and miniſters. Theſe taking advantage of his Majeſties careleſſeneſſe (the maine fault of this King) inſenſibly ſuck't and drayned the revenues of Crowne and Kingdome; till the King awakened by extreame neceſſitie, began to enquire, not how he came in (for his neceſſities would not permit that) but how he might get out.

The beſt way that his evill Counſellors could find to relieve their Maſter, and ſave themſelves, was (the ordinary way of ſupply in Parliament declined) to have recourſe to Monopolies, Patents, and other extraordinary and illegall Taxations. But (prater-natural courſes are never long-lived) the free-borne *Engliſh* would not long endure ſuch ſlavery.

When the King ſaw there was no other remedy, hee throwes himſelfe into the boſome of his people for reliefe, and adviſe in

* Anciendy called the wood
or mad Parliament, oratiously
in History styled, Injurious
Parliament, Fabiaa.

* Chron. Norwic.

* Like the Remonstrance of Decemb. 15. 1641.
Math. Westm.
& Math. Paris.

* Parliament, * where they undauntfully taking advantage of his Majesties extremities, instead of reliefe, outbrave him publickly, with a * Catalogue of all the mistakes, and all the misfortunes of his former government; which coming to the peoples eares soon itole a way their hearts, and alienated their affections from their Sovereigne, and left him wholly to the mercy and will of his Parliament. They sensible hereof, and that the reins of Government were now cast upon their necks, (like Apollo's Horses, when Phaeton had the driving of them) ran violent by-courses, till they set the whole kingdome on fire.

So far they went as to make an Ordinance, That whereas there was present want of a thorough-reformation in the State, the government thereof should be put into the hands of foure and twenty, Qui Regiâ potestate suffulti, who being armed with Sovereigne power, should take upon them the whole care and government of the Kingdome, should nominate and appoint the Chancellor, Treasurer, Chiefe Justices, Governours of Forts, Castles, and Navie, and all other great Officers, and Ministers of State for all times to come.

Math. Westm.

To this traiterous Ordinance, the King, Metu incarcerationis perpetua compulsus est consentire, for feare of perpetuall imprisonment, was enforced to give his Royall assent: And for further security, to be content to give it under the great Seale, and upon Oath, that whensoever he attempted to assume unto him his Regal power, Liceat omnibus de Regno nostro contra nos insurgere, & ad gravamen nostrum apem & operam dare, ac si nobis in nullo teneantur. It should be lawfull for all his Subjects to rise against him and oppose him, as if they owed no allegiance to him.

Chron. orig.
sub sigillo.

Nisi nisi pro ambra nominis habebatur.

Math. Westm.

Strange it is that he should be content to be a meere Cipher, that so latly was the onely Figure of the whole Kingdome, that hee should be content to part at once with every tittle of Sovereignty, but the bare title! But prodigious, that so many choise Senators, so many Fathers and Judges of Law and Conscience, should so forget God and themselves, as to give their assent for the totall subverting of the Regall authority, when as they had all taken their corporall Oathes, De terreno honore dicto Regi & heredibus ejus servando: Which Oath was well kept (saith mine Author), Ordinando ne unquam regerent, sed semper ab aliis regerentur: by making an Ordinance that they should never rule againe, but

Math. Westm.

alwaies

alwaies bee ruled by others.

These foure and twentie thus seded, continue the Parliament during their pleasure; put the Kingdome in a posture of defense, *Regist. Rossen.* place governors of their own choosing, such as they could confide in, in the chiefe Forts, nominate and appoint Judges of Assise, Sheriffs of Counties, Coroners, Bailiffs, (discharging those that were made by the King) took an oath of them all respectively.

And here they would make the people believe they should never be troubled with licentious Sovereignty againe; (but never more as it proved :) for now every one of them began to value his owne worth, and to hamper his head on every designe that might enlarge his owne power and command. In briebe, of so many subjects, they became *totidem Tyranni*, (as the book of St. *Albanes* speaks) so many Tyrants, and for one bad King before, they have foure and twenty worse.

But *England* (like old *Rome*) cannot long endure more Kings then one: great faction and deadly feud arose between the chiefest of them; which the rest taking into consideration, and perceiving that by so many heads, not onely Monarchy was dissolved, but faction and debate every day increased upon them, so wrought that all, but five, agreed: that the foresaid Ordinance should be repealed, and the King restored to his pristine power.

But those five Members stily oppose this agreement, and for the maintenance of their cause, *trahunt multos pseudoprophetas, lupos, in ovium vestimentis, qui contra Christi Vicarios, & Christum Domini Regem ipsum murmurant, non ut Spiritus Sanctus eloqui; sed ut superioris potestatis contemptores obloqui dabant*: they drew to their side many lying Ministers, (Wolves in sheeps cloathing) who murmure and speake evill against the Lords Anointed, not as the Holy Spirit gave them utterance, but as the despisers of dignities gave them their lessons.

These Incendiaries by their sheeps cloathing (a faire conversation) drew the people every where to side with them against the King, and those that wisht the King his former power. Which the King perceiving, and how the multitude grew every day more and more tumultuous, (for all things were now carried by tumults) was advised by his Privie Councell, to withdraw himselfe (least His person might be endangered) from the Parliament (then held at *Westminster*) to His Castle at *Windeſor*.

Math. Westm.
Preaching that Religion could never bee thoroughly reformed, or the differences fully compoted, *sine gladio mauriali*, and that all that would lose their lives in this cause were Martyrs. *Risinger.*

Chron. Dunst.

After some contestation at this distance, it was agreed upon by the King and his adherents, and the five Members and their adherents, that the difference should be referred to the *French Kings* arbitrement. * The King of *France* upon the day of hearing, gave sentence that the said Ordinance, whereby the King was deprived of his regall power, should be made null.

The five Members and their complices seeing this, (notwithstanding they had bound themselves by oath to stand to his award) flew off, and resolving to have their owne wills, drew into arms, made choice of the Earl of *Leicester* for their Generall, and (for their own private interest, pretending the publick good) drew the greatest part of the Kingdome after them, (* so easie it is to draw the fickle multitude to the wrong side) crying every where at first, *Liberty and Religion*, though towards the end of the war not a word of either.

By their faire pretences, they gained so far upon the *Londoners*, that they generally enter into a Covenant to assist the Earle: For which purpose (besides a new Major or Bailiffe) they chose two Commanders, *Thomas Pywelsden* and *Stephen Buckerell*, at whose command, by the tolling of *St. Pauls* great bell, they were to be in Armes upon any occasion. Their first exploit was a march to *Ipsworth* in a tumultuous manner, where they plundered and fired the Kings brothers Mannour-house.

The Earls Army by this time on their march, plundered all that were disaffected to their cause and proceedings, and imprisoned them: * Especially those that stood any way affected to the Queen: for they all (but most of all the *Londoners*) were most maliciously bent against her; insomuch that as she was passing the Thames neer the Bridge, a rude rabble of the City got together on the Bridge, and with confused yellings cryed, *Drown the misch, &c.* and by throwing dirt and stones at her, drave her back: which impious affront was punctually remembered in the first fight; as you shall hear anon:

Besides this main army under the Earle of *Leicester*, they had another army under the command of the Lord *Fenners* (of whom descended the late Lord of *Essen*) who behaved himselfe insolently towards the King, in destroying his Parks as he marcht, &c. which in the conclusion cost him dear; yet to delude the people, the main Army bore before them the Kings Arms: And so shew they

* *Rishanger.*

* *Cotton.*

Hollinsh.

* *Rishanger.*

For dissuading the King to stand to the foresaid Ordinance of Parliament.

* *Rishanger.*

they were for the King, when they had displaced the old Governours of the Kings Castles and Forts, and placed in such as they could confide in, they gave them an Oath to be true to the King, and to keep those holds to the use and benefit of the King and State : yet when the King demanded entrance at one of his Forts, wherein they had placed a Governour, he was kept out.

*Dover. Chron.
Dunstan.*

At Sea, the Barons of the Cinque-ports seized the Kings Ships, took great Prizes, but they that sat at Stern upon Land shared in those Prizes, as the same then went.

By this time the King began to rouse himself, and finding nothing now left him, but a good Cause and the hearts of his wiser Subjects, yet by that, and these, and the assistance of his Brother Richard, King of the *Romani*, in a short space he had raised a considerable Army. (A King can never be so down, but he will rise againe) with these he march't (and like a snow-ball encreased by motion) plundering the Rebels lands as he went to *Northampton*, which was fortified against him by some of the cheifest of the Rebels ; yet by a furious assault he soon gained it.

Thence continuing his march into *Sussex*, neer *Lewes*, he received a Message from the Earle, the tenour whereof was, That as for his Majesty they intended no harm against him, but only desired that he would remove his evill Counsellors that did advise his Majesty against them, against the honour of the King, and welfare of the Kingdom. The King in his Answer charges them with Rebellion and disloyalty, and commands them to lay down their armes and to return to their obedience, that they might be received to mercie : but the Earle rejecting the offer (* when Subjects have once broken their fealty and trust to their Sovereign, they never dare trust their Sovereign againe) resolves to give the King battell.

*Cambdens ob-
servation in
the case of Ro-
bert Earle of
Essex.*

Neer *Lewes* both armies meet : One wing of the Earls Army was made up of *London* Troops, which the Prince being then Generall of the Kings horse, observing, and remembering (not without indignation) the abuse offered by the *Londoners* to the Queen his Mother, he clapt spurs to his horse, and all his Cavalrie after him, crying, [*Here, here, (my brave Cavaliers) are the main contrivers of all rebellions and mischief; Now, now, if ever charge home, Javel*] so fell on with that fury, that they presently slie : the Prince in an eager and hot pursuit does great execution upon them for four miles. But this prosperous beginning of the fight on the

*Equites hac
hac seditionum
scelerumq; om-
nium capita
sunt, nunc nunc
fortiter adjuvite
sola.*

Kings

Kings side was the utter overthrow of the Kings forces : for when the Earle perceived that the Prince (a young fiery spirit) with all the Kings horse was gone so far in pursuit of the *Londoners*, he fell violently on the Kings foot and soon routed them; took the King, (his horse being slain under him) prisoner. The Prince at length retreating (when he saw all lost) surrendered himselfe. There were taken in this fight (besides those royall prisoners, the King, the Prince, the Kings brother and his eldest Sonne) above twenty Noblemen that were for the King; and slaine about * 3400.

* Southwell.

Risinger.

The Earle having thus gotten a compleat victory, forthwith endeavours to seize all the *Militia*, and power of the Kingdom, for which end he carries the King about with him to countenance his actions; but the rest of the royall Prisoners he disposes in severall garrisons.

And now the Earle beleeves all his own, and the people dream of nothing but Peace, but alas the warre was not begun till now : For when the torne remainder of the Loyal army that escaped at *Lewes*, now keeping garrison in *Bristol*, and other noble spirits saw how insolently the Earle dealt with his and their Sovereign in barring him of his liberty, &c. They soon raised a considerable power under the command of *Roger Mortimer Earle of March*: unto whom many flockt out of *Shropshire*, *Cheshire*, *Herefordshire*, and *Worcester*, that were well affected to the King.

Moreover the Queen (who was a *French woman*) got over beyond sea, to trie her friends for their assistance to restore her Husband to his former libertie and authoritie, *Quod ad laudem & magnificentiam Elionora Anglorum Regina libet intexere* (saith one of that Age) *quod Domingo no, & Eduardo filio tam strenue & tam viriliter tanquam virago potentissima succurrendis fortiter insudaverit.*

But before these forces were well united, the Rebels forces were as well divided: for debate arising (as is usual in all confederations, where all parties must be pleased, or else the knot will dissolve) between his Excellency the Earle of *Leicester*, and the Earle of *Glocester*, because his Excellency, minding his own private more then the publique good of his fellow Rebels, (without any respect had to his adjutants) ingrosses all to himself, disposes of the Royall prisoners at his own pleasure, seized on the revenues of the Crown, and composition of Delinquents for his own use, (whereas they had

had privately agreed before, *Et omnia aqua sorte inter eos dividenda fore*.) In briefe he shared all places of power and profit betwene himselfe, his sonnes, and his allies. Wherat Gloucester (as good a man as he) stomacht and fell off with his followers to the Prince, who by this time (*disponens domino clavigeris carcerum*, every thing working for the King) had made his escape out of prison at Hereford: (for being allowed by his keepers to aire himself sometimes on horse back in the town meadow, after he had tyred two or three, at length he mounts a speciall fleet Nag, and putting spurs *custodibus valedixit*) and came late to Wigmore Castle, where the Lord Mortimer lay with his forces raised for the King, so marcht on with a great power, taking in (as they went) some strong garrisons of the rebels, plunderd their houses, drave their cattel, &c.

Here the warre grew hot, each side fortifying towns and houses, plundering and driving all round about to store the garrisons: Mens houses (which were wont to be their own castles) were now made castles, but the owners were least Masters; all left to the mercy of the rude souldier, the poor Countrymans dwelling house pillaged every where and searcht, *usque ad ultimum stramentum*, to the very bedstraw: nor onely mens houses, but even Gods houses, the very Churches were not free from the prophane hands of plunderers; the high wayes lay unoccupied, no passing from town to town without danger of robbing.

* Risbanger.

When the Prince, the Earle of Gloucester, the Earle of March, with the reliques of the royal army were united and well ordered, they resolved to give his Excellency (the Earle of Leicester) battell: At Evesham in Worcestershire by a speedy and unexpected march, they came upon him. The Earle seeing himselfe engaged to fight, gave order that his own coat-armour should be put upon the King, who was then a prisoner in the Army, and that the King (for the safety of his person forsooth) should be placed in the front of the battell, that so if the battell went against him, the King might be aimed at as Generall, and his Excellency thereby make his escape. But the King at first charge called out to the loyall army, that he was their King, and so was preserved; yet not without the losse of some of his own, (being wounded by a javelin) as well as his subjects blood: the battell was very violent, and went sore against the Rebels; at length the Earle himselfe (the head of this Rebellion) was cut off; at the instant of whose death, there hap-

pened such extraordinary lightning, thunder, and thick darkness, that it struck a generall horror and amazement into the hearts of the Rebels, as if the King of Kings would now visit visibly revenge the Kings quarrell, or as if they had seen Gods immediate hand against them, as once against *Urab*, and the 230. Assembly men, *Numb. 16. v. 35.* for the like rebellious practices.

In this signall Battell were slaine, besides the Earle and his sonne) sixteen Lords and Knights, and about ten thousand more of the Rebels slain.

The Earle's Corps was strangely (though not undeservedly) handled by the people, who were so enraged against him, the chief actor and author of their so much mischief and misery, that (in despite of him) they lopt off his head, hands, feet, and private members, and sent them (in scorn) for tokens to severall places: his body was buried in *Evisham* Church. Notwithstanding this, there were many ignorant people (who had been by specious pretences abused, and seduced to that side) that were of opinion for a long time after, that he died a Martyr, because it was in defence of their holy (as they thought, but indeed impious) Covenant and Oath.

Two of the Earles sonnes were at the same fight taken Prisoners: not long after they made an escape out of Prison, but could not escape Gods vengeance on Rebels; for in *France*, in miserie they finished their lives.

The Countesse, being banished, died a Nunne in *France*. All the Earls Honours and Possessions were conferred upon *Edward* Earle of *Lincolne* the Kings second sonne. And thus ended this great fiery Meteor in a stroke. This fell two English *Quakers* (as *M. Comden* calls him) a man in shew faire and honest, but in heart, *far from ingenuis & profunde perfidus* of a perverse disposition, and treacherous beyond any mans suspicion; after his Sovereign had heaped upon him many high honours, as the Earldom of *Leicester*, and that high and honourable office of Lord high Steward, and (to endear him the more) had given him his own Sister in marriage: In token of thankfulness, he with his ungodly endeavour to diminish the Kings known authority, to subvert the wills of his Subjects, to pull down Monarchical government, and set up a factious Oligarchy, and all under that false common pretence of restoring Religion to its purity, and the People to their Liberty.

The

The King thus happily preserved, and almost miraculously (all things considered) set at liberty: about a Month after calls a Parliament at *Winchester*, (no more at *London*, until it was more loyall and lesse tumultuous) where by a full Convention it was enacted, That all Statutes, and Ordinances made by the former Parliaments (called the good or bad Parliament) should be repealed, and all writings and bonds then sealed by the King for observing the same, should be cancelled and made void. That the City of *London*, ob *scam* Rebellionem, for this her Rebellion should be deprived of all her ancient Priviledges and Liberties, and the Rings leaders of them, *puna voluntatem ipsius Regis plecti*, to suffer such punishment as his Majesty was pleased to inflict: *Et ditiores Civitatis in carcerem truderentur* (saith *Matth. Welm.*) *Pro eo quod Simon, in Regis contemptum, & etiam damnum Regni, fortiter adhaeserint*: that the wealthier Citizens should be cast in prison, because they had in contempt of his Majesty, and great damage and mischief of the Realm assisted the Earle. Furthermore it was there enacted that all such as had favoured the Rebels (were they now in prison, or at large) should forfeit all their estates.

Afterward the King marcht with a great power to *Winchester*, resolving (as the same then went) to destroy the whole City of *London*: Many of the Rabble and wild Commoners (saith *Fabian*) were as resolved to defend the City against him: but the wiser sort thought better to become humble petitioners for their pardon of what was past, then to incense his Majesty any farther; and to that end, drew up an humble Petition, and presented it to the King: but their late rebellious carriage had so farre provoked his Majesties patience, that he would not so much as admit their Petition, or hearken to any that endeavoured to mediate for them.

Hereupon they were advised to draw up an Instrument or writing, whereby they should yeeld themselves wholly, both bodies and goods to the Kings mercie, which was done accordingly, and sealed with the Common Seale of the City.

His Majesty upon earnest suit unto him, accepted hereof, giving present expresse command, that all the Chaynes and Posts which they had placed at every street, and lanes end, should be forthwith carried to the Tower, and that the Mayor and fourty of the chiefe Citizens should repaire unto him the next day, and confirme their said writing: this was done, and they all came ac-

cordially; but contrary to their expectation, though not defects) were all delivered into the custody of the Constable of *Windsore* Castle, and shut up there in a large Tower, where they had small chere; and worse lodging. The next day toward night, all (but five, whereof the Mayor was one) had their enlargement. Those five, their bodies and goods, were as a boone bestowed on the Prince, the rest were commanded to attend at *Windsore* for a long time after.

Sixty or seventy wealthy Citizens with all their Lands, goods, and Chartres, did the King dispose to his household servants.

For the Government of this unruly City, the King appointed one *Orton* a forreiner, or stranger, first Constable of the Tower, and then *Cusper*, or Warden of the Citie, to pull downe their haughty rebellious spirits, and that his Peatee for the future might be sorely kept, he required the best mens sonnes in the City for Hostages. These he clapt up in the Tower, and caused them to be there kept at the cost and charges of their Parents.

Daily suit was made unto his Majestie for his Pardon and favour, but in vaine: then they petition the King to know his gracious pleasure, what Fine he would demand of the whole City, for their offences against him. The King at length signified unto them that the summe of fifty thousand Markes should be their Fine. Whereto the *Londoners* returne this humble answer: They had been of late, by this unhappie War, so exceedingly impoverished, that a summe so great (as it was in those times) could not possibly be raised amongst them; wherfore they humbly beseeched his Princely compassion might be so farre extended to wards them, as to require, and accept according to their abilities. At length, after much suit and submission, and a fine of twenty thousand Markes, the King received them to mercy, and sent them under his great Seale a generall Pardon (those onely excepted, whose estates were already bestowed); granting and allowing that their former Charter, and ancient Priviledges should be restored unto them, notwithstanding all the transgressions (they are the words of the Pardon) and trespasses done to vs, to our Queene, to our noble brother, Richard King of Almanie and the Prince, our first bey otten south.

And here was the first pacification betwixt the King and the *Londoners*; for whom wee may say thus much, *I but their*

their foule Rebellion against their Sovereign was not more de-
testable, then their humble submission to their Sovereign was
commendable. And therefore in the Ordinance, called *Dilectum de*
Kenelworth, made for the settling of the Kingdome, we find them
(notwithstanding, all their disloyalty) commended, as shall be
seen in the ensuing Story.

After the proud stomack of this City was brought down, and
all tumultuous spirits quelled, the King calls his Parliament (in
festo Sancti Edwardi Regis) to *Westminster*, wherein those that
aided and assisted the Earle were all (excepting the *Londoners*.)
arrested, and that all their Lands and goods were forfeited.

But this Sentence (though it was lesse then they deserved) yet
was more then they would endure, and therefore the fire (that
was not yet quencht, but smothered) breakes forth againe. Some
fle into the Isle of *Ely*, and fortifie that. Some into the Isle of
Axholme in *Lincolnsire*. Another party possesse themselves of
Killingworth Castle. Another, under the command of the Lord
Ferrers, in the Northerne parts. And amongst others, one *Adam*
Gurdon lived as an Outlaw in *Hampshire*; ** cum rarus aut nullus*
locus in Anglia fuit tutus, et quod terra erat vespilionibus ple-
na: Now scarce any place in England was free from plunderers.

To reduce these to obedience, the King undertakes *Killing-*
worth Castle. The Prince was sent against *Adam Gurdon*. Lord
Edmond the Prince's brother against those in *Axholme*; And
Lord *Henry* the King of *Almaines* son, against the Lord ** Ferrers*.

To the Rebels in *Killingworth* Castle the King sent first a gra-
cious message, willing them to desist, and to returne to their obe-
dience. But they, contrary to all Law of Armes, contrary to
natural civilitie, cut off the Messengers hand, and sent him back
with an uncivil answer. Then the King marche to *Killingworth*;
and late downe before it upon Midsummer Eve. During the siege
(which lasted six Months) *Clerus & populus convocantur, &*
duodecim eliguntur de potentioribus Procerum, & prudentiori-
bis Pralatorum, quibus datur potestas ordinandi super Statu-
sum vexheredatorum, &c. The Clergie and Laitie are assembled,
and out of the chiefeft of the Peerage, and wisest of the Prelates,
were chosen twelve, to whom power was given to pronounce
sentence against the Rebels, and to settle the peace of the King-
dome; they, first taking an oath, *de nihilis ordinandis*, to de-

** Rishanger.*

** This Lord*
Henry, the
Kings
Nephew, was a
valiant Soul-
dier, and ha-
ving found
out the Lord
Ferrers at *Che-*
sterfield, gave
him battel, and
overthrew
him, and be-
cause he had
been pardoned
once before, it
was decreed
that he should
be degraded,
and deprived
of his Earle-
dome for ever,
and fined fifty
thousand
pounds.

erree nothing, but what should be for the good of the Common-
weale.

Then the people take a solemne oath, *Quod dictum ipforum in-
violabiliter observarent*; that they would stand to their Decree,
which to this day, by our Lawyers is called, *Dictum de Kenel-
worth*; a severe, yet a good and wholesome course (without ef-
fusion of blood) to punish Rebellious Subjects.

The Decree was as followeth.

*Dictum de
Kenelworth.*

*In nomine sancte & individua Trinitatis, Amen. Ad hono-
rem & gloriam Omnipotentis Dei Patris, & Filij, & Spiritus
Sancti, &c. Et ad honorem & bonum prosperum, & pacificum
statum Christianissimi Principis Domini Henrici, Regis Anglie
illustris, & totius Anglie Ecclesie, Nos Wilhelmus, &c.*

In English thus.

In the name of the holy and individuall Trinitie Amen. For the
honour and glory of Almighty God, the Father, Son, and holy
Ghost, &c. And for the honour, prosperitie, and peace of
the most Christian Prince, our Sovereigne Lord Henry the most
renowned King of England, and of the whole Church of Eng-
land; We William Exon, William Bath and Wells, Henry Wor-
cester, and T. St. Davids Bishops, Gilbert de Clare E. of Gloucester,
Humphrey Earle of Hereford, Philip Basset, John Bailef, Robert
Wallop, Alan de la Souche, Roger de Somerise, and Warren de Ba-
singborn, providing for the welfare of the Land, &c. have thought
fisto order as followeth.

1. That the Rebels be not wholly deprived of their estates, but
shall have liberty to redeeme their lands by fines, in manner fol-
lowing.

1. That those that were in the fight at *Glesterfeld*, against our
Sovereigne Lord the King.

Item, All those that by force of Armes impiously kept *Nor-
thampton* against the King.

Item, Those that gave the King battell at *Leven*.

Item, Those that were taken prisoner at *Kepelworth*.

Item, Those that came to pillage *Winchester* or were elsewhere
against the King, whom the King hath not pardoned.

Item, Those that gave the King battell at *Evesham*.

Item, All those that freely, and voluntarily, and without any
compulsion, have contributed to the Warre against the King or
Prince.

Item,

Item, The Officers and servants of the Barre of *Leicester*, that pillaged their neighbours, or were the cause of any murders, firings, or other enormities; that all these be fined five yeares revenues of all their Estates, respectively; and that if they pay downe their Fines presently, they may enjoy their Lands presently: but if the Land must be sold for the payment of the Fine, he, on whom the King bestowed it, shall have the reftall, if he will give as much as any other. And if the originall owner will pay down the whole Fine, he shall have the whole Land; and likewise, if he will pay the moiety or third part, he shall have the moiety, or thirds of the Land. And if at the end and terme appointed, the owner doth not pay for the other moiety, it shall be clearely theirs on whom the King was pleased to bestow it.

And assoone as any one hath paid down his whole Fine, such shall have liberty to let, or set, or sell his land within the prefixed time.

Those that have woods, and would willingly make sale of them for the payment of their Fines; He on whom the King bestowed, and the originall owner that have each one his Bailiffe to see it sold; and those two Bailiffes shall (as fast as the money is made) pay it to Whom the Fine was given by our Sovereigne Lord the King: this payment must be made within three yeares at the farthest.

All Officers and Reformadoes that were knowne to be common plunderers, and made it their businesse to plunder, if such have no lands, but onely goods; they shall be fined one moiety of all their goods, and shall find sufficient sureties, that they shall keep the peace of our Sovereigne Lord the King for the time to come. They that have nothing, shall be sworne upon the holy Gospel, and finde sufficient sureties, that they will keep the Kings peace for the time forward, and shall make such satisfaction, and doe such penance, as the holy Church shall censure, excepting only banished persons, who are wholly left to the will and pleasure of the King.

3. Moreover, as for Wards, or young Heires (that were in a ctuall Rebellion against the King during their minority) their Guardians shall pay their Fines; and the said Wards (when they come to age) shall pay backe the same to their Guardians within two or three yeares, so that the Guardians shall have the Wardship and their marriages (without disparagement) even till they be come to full age, and all Wards shall pay their fines after the same manner as those of full age. Onely the Kings owne Wards shall

be in the hands of those, to whom the King shall give them, untill they come to yeares, and then they shall pay downe their Fines according to the same manner as those of full yeares; Provided alwaies that there be no waste made by the Guardians upon their estates; If their be, then the Guardians to be punished according to Law.

3. If any that were for the King before, and since the battell at *Lewes*, be now fined for not assisting the Prince (when he was raising forces to rescue his Father,) we leave him to the King to be censured or pardoned, as he shall thinke fit.

4. That there be no sale or waste made of any woods by those on whom they were bestowed, unless the Fine be not pay'd within the time limited. Onely it is allowed that they shall cut so much wood as is necessary to keep the houses in reparations; and if they shall exceed this allowance, to be severely punished.

5. If any be thought to be dangerous persons, and that they are like to move sedition, and to revive the wars; let the King secure their persons as he shall thinke fit, either by sending them into forreine parts for a time, or what other way shall be thought expedient; provided alwaies, that if they be thereby hindred from paying their Fines, they shall not forfeit their estates.

6. That if any will not submit to this Ordinance, he be left to be censured at the Kings bench-bar, before the feast of *St. Hilary* next comming. All those that live in forreine parts shall find sureties, (according to the Lawes and customes of those States) to live peaceably, otherwise that they shall not be received in a peaceable manner.

7. Whereas the Kings Majestie is engaged to many that served him in his wars; and faithfully stuck to him, whom he hath not yet sufficiently rewarded, and some have been rewarded above their deserts, we desire that the King take speciall care, that out of Delinquents estates they may be all rewarded to the full, lest otherwise a new warre should be occasioned.

8. That the Kings Majestie be graciously pleased to make choise of twelve able men that may be authorized to see this practically and faithfully performed, and that the Kings Majestie, his Heires or Successors take care that it be all firmly observed and maintained; and to enquire into, and regulate, and see duly executed, what shall be by the said twelve men ordered, according to reason and equity.

9. That

9. That all Farmers and Renters of Lands that were against the King, shall lose their Farmes for all the terme or time of their leases that are to come, (provided that the Landlords be no way endamaged) and when the terme of their Leases are out, then to returne to the Landlords againe.

10. As for Castles and Forts built by the Kings grant and allowance, upon any Delinquents ground, contrary to the will of the said delinquent; We decree that (after the owner of that land hath paid his fine, which must bee within three yeares) for six yeares more the owner of that Land shall pay such custome as was imposed by the King, or else accept of a reasonable exchange for the said Land.

11. All Lay-men who notoriously advanced the Earles designes, and assisted him or his adherents, *Attrahendo homines per mendacia & falsitates parti Comitis & suorum, & detrahendo parti Regis & filii sui*, by drawing people through lies and falsities either to the Earle and his partie, or from the King and his partie, it is ordained that they be fined as much as two yeares revenues of all their estates.

12. That all such as were pressed, or out of feare went to the Wars, but never fought against the King, or did any mischief; also those that being not able to goe themselves, yet by force or feare were compelled to contribute towards the Armies against the King or the Prince; also that those that were enforced to be plunderers, or to aide and assist any plunder-masters, and yet did returne to their habitations as soon as conveniently they could, be all left *In misericordia Domini Regis*.

13. That all those that wittingly bought any plundred goods, restore the value of the goods, and be *In misericordia Domini Regis*; because they thereby have offended against the Law, and done contrary to the Kings expresse command, set for half a year before.

14. That all those that at the Earles command went into Northampton, yet never gave the Rebels their assistance, or made any resistance, but as soone as they perceived the King comming, took Sanctuary (provided that this be attested by the oathes of good and lawfull men) likewise that those that owed no suite or service to the Earle, and yet came upon his command, be all fined halfe a yeares revenue of every one respectively; but those that held of the Earle in Fee, let them be only *In Misericordia Domini Regis*.

15 That impotent silly people, and all such as did no mischief, may enjoy their Estates as formerly, and recover damages at the *Kings Bench*, against those that shall wrong them.

16. That those that accuse any of their fellow subjects out of malice, be punished at the Kings pleasure, and that his Majestie thence forward do not easily give credit unto them. And we judge that they deserve the same punishment as the accused, if the accusation were true, provided that they loose not life, limbe, or estate.

17. That all such as are accused upon meere malice, may still enjoy their estates, and recover damage against their accusers in the *Kings Bench*, as above said.

18 That all women enjoy their owne inheritances and dowries. But those lands that came by their husbands, who have been against the King, shall be redeemed by a fine, according as his Majestie shall impose upon them, &c.

19 That all such as are acquitted (so it be by those that have authority to acquit them) remaine and stand in such a condition as they are put into; and that all that have paid their fines, shall not be responsible for damages and trespasses committed by them upon those, against whom they fought in the time of the late troubles, but that all damages and trespasses be forgiven on both sides, provided that the Church may have her dues.

20. That because it may be of dangerous consequence, that any Castles should remaine in the power of those, who were in actual Rebellion against the King, we therefore decree, and ordaine, that for the Castles of *Hardley*, *Bytham*, and *Cherisley*, there be given a reasonable exchange.

21 As for the Earle *Simon Monfort* his Countesse, and his sons, we decree nothing, because our Sovereigne Lord the King hath referred them, and their offences to the King of *France*.

22 As for the City of *London* (taking notice, it seems, of their humble submission) we commend it, and doe make this motion to our Sovereigne Lord the King, that by the advise of his Privie Councel, he take order for reforming the state of the Citie, and settle their Lands, Revenues, Buildings, and Liberties, and that this Order be presently debated.

23 For the Lord *Ferrers*, we decree that he be fined seven years revenues of all his estate.

24. That all that now keepe *Killingworth* Castle be pardoned, except

except *Henry Hastings*, and those that had any hand in cutting off the Kings Messengers hand, all which shall be fined seven yeares revenues of all their estates, or else submit themselves to the Kings mercy.

25 That all men whatsoever endeavour to keep the peace of the Kingdom, that none presume to commit any outrages, hirings, murders, robberies, or by any other means breake the Peace. Which if any shal be so hardy as not to observe, & be thereof lawfully convicted, let him have sentence according to the Lawes of the Land.

26 *Item*, that all whom it may concerne, take their oathes upon the holy Gospel of God, that they will never take any revenge, be accessory, or consenting to take any revenge, nor will suffer (as much as in them lyes) that any revenge should be taken against any one for any injury suffered in the late times of trouble, and if any one shall presume to revenge himselfe, we decree that punishment be inflicted upon him in the *Kings Bench Court*.

27 That the *Holy Church* receive full satisfaction from those that have injured her.

28 But if there be any that will not submit to this Ordinance, or refuse to be tried by their Peers before our Sovereigne Lord the King, let them forfeit their estates for ever. And if there be any that have gotten possession of the Rebels Lands, and were him selfe a Rebel, he is thereby incapable of challenging any right to the Land, or to have any title to the fine by the Kings Majesties gift.

29 Whosoever will not submit to this Ordinance, let him be accounted a profest enemy to our Sovereign Lord the King, and to his Sons, and to the whole Realme, and let all the Laity and Clergie (as far as the Canon Lawes and Common Lawes will reach) prosecute such an one as an enemy to the peace of Church and State.

30 Lastly that all those that are imprisoned, or any way debarred of their Liberty, upon reasonable and competent security shall have their enlargement, by putting in Sureties, or such other way as the King hath allowed.

Dated, and set forth from the Campe before Kenelworth, the last day of September, in the yeere of our Lord God 1266. and of the

Reigne of the most renowned King HENRY the Third, 51.

Thus endeth that Famous Ordinance called to this day * *Dictum de Kenelworth*; wherein are comprised the wisest rules, that the wisest men of those times could possibly devise, to uphold, com-

About the end of October the King assembled all the Lords Spiritual & Temporal, and Knights of Shires, to Northampton, where this decree was confirmed by Act of Parliament.

The Barons
of Cinque
Ports seeing
the King pro-
sper, made
their peace
with the King.

pose, and recover a tottering, distracted, dying Kingdome.

About two Months after the publication of this Ordinance, viz. upon Saint *Thomas* Eve, the Castle was delivered up, upon conditions (too good for those that had so barbarously used the Kings Messenger, contemned the King, and impoverished the countrey) to march away with their goods, and to undergoe no fine for taking up Armes.

This Castle had the King bestowed upon the Earle of *Leicester*, in frankemariage with his sifter *Elionor*; but when the Earle by his Rebellion had forfeited, and the King had now won it, he gave it to his own Sonne, *Edmund* Earle of *Lancaster*, who by this time had reduced the Isle of *Axholme*, and all those rude ignorant people, that flockt thither, pillaging and plundering the Kings friends round about.

Rishanger.

The Prince also met with *Adam Gurdon*, a famous sturdy Rebell, that lay lurking in *Aulton Wood* in *Hampshire*, robbing and spoyling the adjacent parts, *Præcipue terras eorum qui parti Regia adharebant*; the Prince upon his approach, hearing of his valour, sent him a Challenge for a single Combate. *Gurdon* accepts it, and performed it so gallantly, that the Prince assured him of his life and estate, if he would submit: which he did, and was received into great favour with the Prince; but divers of his men were there executed.

But now the Isle of *Ely* was strongly fortified by a great multitude got together, that refused to submit to the Ordinance of *Kenelworth*. Upon the naturall strength of this Isle, and the plenty of all provision therein, seditious Rebels have often presumed, and from hence have molested more Kings then one, as they did now the neighbouring Counties, robbing, and pillaging *Norfolk*, *Suffolk*, and *Cambridgeshire*, plundering the City of *Norwich*, and carrying away the richest Citizens, made them redeem themselves: at length a message was sent unto them, requiring them to submit to the Ordinance of *Killingworth*, to leave off robbing their fellow subjects, and to return to their allegiance: Hereto they return this insolent answer, that they had taken up arms to defend the good of Church and State, and therefore ought to be restored to their lands without paying any fine. In briefe they require hostages into the Island, and that they might hold it five yeers peaceably, till they saw how the King would performe

his

his promises, (perfidious subjects ever suspect their Princes fidelity) which high insolency of theirs (unheard of till our times) so exasperates the King, that he resolves to try the utmost to reduce them to their obedience ; for that purpose marches with a mighty Armie against them, the Prince also joyns with a considerable power ; after many assaults, at length (after they had held it above two years) by the helpe of new made bridges and boates, they stormed it on every side that they were forced to yeeld.

And now men thought that the fire was quite out. But there were yet some live embers (which the Earle of *Glocester* upon some distaste blowing) suddainly flamed out again in *London*, where the Commons of the City forgetting their late punishment, and as men (saith mine author) without dread of God or the King: drew up in Arms again, flock't to the Earle of *Glocester*, plundered the well-affected to the King, sequestred their estates, brake the Prisons, chose a new Mayor and Sherifffes, made Bulwarks and Barbicans, and forfeited the City wonderously, and were so confident of their strength and cause, that they durst bid the King battell, appointing *Hounsloe-beath* for the field.

Fabian.

The King by a speedy march came to the place at the time appointed; but they instead of meeting his Majesty, ran about the Citie in a tumultuous manner. Some to *Westminster*, and there plundered the Kings Pallace, *fenestras & ostia frangerunt*; (saith *Mat. Westm.*) *vix manus a combustione totius Palatii cohibentes*; brake the doores and windows, hardly forbearing to set it all on fire.

Then the King removed his campe to the other side of the City, and had his head-quarters at *Stratford*, three miles off the Citie, the rest of his Army lay at *Ham*, a village hard by. The wiser Citizens foreseeing the danger that hung over them, desired a treaty with the King, whereunto (though they were most unworthy of so much clemency) His Majesty was graciously pleased to consent, and upon these easie termes they were again received to mercy, *Imparum; Salvo in omnibus casib. Killinworthii*; that the ordinance of *Killinworth* should be observed in all points; then that the fortifications should be razed, and the trenches filled up; lastly, that 1000 Marks damages should be paid down to the Kings brother, for his maintenance of *Gloucester*, fixed by them long before.

Also his Majesty for some yeares followinge toller'd his Mayor and Sherifffes himselfe: but toward the latter end of his Reign, being

* Then did the King command, that Peace should be proclaimed all the Kingdome over, which was received with joyfull acclamations.

fully reconciled, he restored them their (often forfeited) * Priviledges.

Thus after the Almighty (whose judgements are unsearchable) had suffered crafty seditious spirits to seduce a whole Nation, to trample upon his Anointed, and to tread his Honour in the very dust for a time, yet at length, all his enemies are clothed with shame, and upon himselfe his Crown flourisheth again.

And now after this furious dreadfull Tempest, after so many storms and showers of blood, began a joyfull long-expected Calm, which that they might enjoy without any intervening of more stormes, and for the better settling and quieting the Kingdome, the King gives expresse command for the razing of divers inland Castles; as *Farnham, &c.* That so if another Rebellion should be begotten, it might no where find a Nurse, and then it could not be long lived.

Also, for the more quiet and secure travelling of his Subjects, he appoints a Captain in every County, who with a Troop of Horse should alwaies assist the Sheriffe, for the taking and punishing all stragling reliques of the late Armies, and high-way robbers, wherewith the Kingdome did abound at that time, no place free from them. In some places also, *Ruricola* (saith *Risbanger*) the Countrey people would generally rise against them (as against Wolves or Beares;) and at one time, they took and kill'd fifty of them, that were got together neer St. *Albans* in *Hartfordshire*.

Besides, the King *Proclamari fecit contra pacem regni disturbantes*, set forth a Proclamation against all such as should any way disturbe the quiet of the Realm, by plundering or stealing, &c. And that if any man should presume to steal but a Cow or a Sheep, *vel aliquid aliud* (saith mine Author) he should surely be put to death.

These were the petty devices of that Age, to pump and draine the huge sinke of the Kingdom, but the Staple, Police was, by a Forraign expedition (like a wide vice) to let out all the fish at once: for which purpose therefore (among others) it was resolved upon, that a great Army should be raised under the Command of the Prince, for a voyage to Palestine. And by this course especially did his Majesty soon spend the intolencies of his owne, and the Rebels Souldiers, made Lawless by the late unavoidable Liberty of Civill Armes.

So as late
Dyer, or Par-
liament in

And here was an end of this wasting, groundless, unprofitable War,

War, wherein the Subject having struggled and wrestled with Sovereignty, till they had wasted the Kingdom, and wearied themselves, at last are content to sit downe by the losse, to let the King have his own Rights again, and some of theirs, according to the usuall event and issue of such imbroylements.

Germany (after they had undutifully strived with the Emperour, and wasted the Empire) it was concluded, That all should be reduced to the same state as it was in the year 1618.

A Postscript.

Out of this briefe Narration may be extracted somewhat for **KING** and *Commons*.

For the **KING**.

First, for preventing Seditions and Rebellions; then for settling a Kingdome after the Rebellion suppressed.

For the first; That he beware how hee entrust the Government of His Kingdome to others. How he suffer His Favourites, and great Officers of State, to suck him into necessities, and inthrall Him by indigency, and be thereby drawne, by extraordinary illegall Impositions and Taxes, to vex and alienate the hearts and affections of His Subjects, and then (as he must) be constrained to flie to them for reliefe and counsell in Parliament; where (he may then be sure) he must be Subject to his Subjects, and they will be kings over their King: where Hee must be content to be lesse then he should be, and the Subject will be more: where (he may be sure) they will make advantage of his necessity, and Hee must undergoe many hard censures, and be vexed with undutifull demands, before they will relieve him. But whether they part with their money or not, let the King take heed of ever parting with his Power.

Then after the heat and heart of a Rebellion be broken, nor to be severe against any, lest the rest grow desperate. Severity may blow up, never blow out the flames of Rebellion.

Yet to shew some acts of Justice and power as well as grace and mercy; not to use the extremity of Justice, least he thereby renew the present rebellion; yet to shew some Justice to prevent a future.

By a sweet mixture of mercy and justice, the King shall at once both humble and oblige his delinquent Subjects. By mercy, in not taking the rigour of the Law; by Justice, in taking a part of the Law: by this, he shall humble them in taking so much; by that, he;

Next, to take speciall care in rewarding and cherishing, and countenancing, and remembring (before others) all those that stuck close unto him, that by their persons, or their purses, shewed themselves really for him, and without all fallacie, loyall.

After this, to prepare speedily for some Forraigne Expedition, wherein to imploy all the late Active Spirits, and working heads, who will quickly make worke againe at home, if they have not worke abroad.

Laffly, to place some one (as a Scavenger) in every County, to carry away the dreggs that are left behinde. Such as will not beyond Sea, cannot work, and are ashamed to begg.

For the People this.

First, that they suffer not themselves to be abused and mis-led into disloyalty, by any ambitious, inquiet, cunning Spirits, upon what pretences soever: & when Liberty, Religion, or any publique good is pretended, then most of all to suspect their private ends.

Next, that the people never get by this course, but often loose their former ancient Liberties and Priviledges, according to that observable (though not observed) *Maxime*, EVERY REBELLION SUPPRESSED MAKES THE KING MORE KING, AND THE SUBJECT MORE SUBJECT.

Lastly, that taking Armes without Sovereaign Authority, upon what pretences soever (be they never so faire, as for Religion, or Libertie; never so foolish, as that it is not against the King, but for the King) is most abominable in the eyes of God, and though it seem to prosper for a time, yet most surely and severely is it punished in the end, ending commonly in a generall impoverishment (if not in the end) of the people; and some dreadfull Judgment upon the Contrivers.

Prov. 24. verj.
21. 22.

Prov. 24: 18-22. **My** Some fear the LORD; and the King, and middle not with them that
21, 22. **are given in charge?** **For** their calamity shall rise suddenly, and who knoweth the ruin of them? **But**

For their Calamity shall rise suddenly, and who knoweth the ruine of them both?

FINIS

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